

**DARLENE DUPREE
DEPOSITION TRANSCRIPT**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

MICHAEL DUPREE, JR., Case No.
a Colorado Resident,
MICHAEL DUPREE, SR., 2:10-CV-12094-LPZ-MKM
and DARLENE DUPREE, his parents,
Residents of the Country of Austria,
Plaintiffs,
vs.
CRANBROOK EDUCATIONAL COMMUNITY,
JOHN J. WINTER, and CHARLES SHAW,
Defendants.

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The Deposition of DARLENE DUPREE, a
Plaintiff in the above-entitled cause, taken by
Shari J. Pavlovich, CSR-5926, Certified Shorthand
Reporter, Registered Professional Reporter,
Certified Realtime Reporter, and Notary Public for
the County of Wayne, acting in the County of
Oakland, State of Michigan, at 38500 Woodward
Avenue, Suite 100, Bloomfield Hills, Michigan, on
Thursday, December 16, 2010 commencing about 10:35
a.m., pursuant to the Federal Rules of Civil
Procedure.

1 Q And when was the -- when you say "CRB" so the
2 record's clear, we're talking about conduct review
3 board; correct?

4 A Right.

5 Q When did you return from the conduct review board?
6 What would have been the date?

7 A The 27th. And we got back to the house about 5:30.

8 Q You as parents were not allowed to participate in
9 the conduct review board; correct?

10 A Correct.

11 Q What's the next meeting reflected in your notes?

12 A Well, I don't know if it was a meeting, per se, but
13 after the conduct review board we approached
14 Dr. Lorey to ask him how it went. And he basically
15 just fielded us and didn't answer any questions.

16 Then we went immediately at that
17 time, which is I have in my notes approximately
18 5 o'clock, to Arlyce's office. My husband had asked
19 what the appeal process was. And there didn't seem
20 to be one. So he wanted to question Arlyce about
21 that issue.

22 Q All right. Let me interrupt. So did you meet with
23 Arlyce Siebert after the conduct review board
24 hearing on May 27th?

25 A We did not. We got to the office. She was there.

1 The door was open. We could see she was there. The
2 secretary spoke with her. She kind of nodded to us
3 and said that we would meet -- the secretary came
4 back out and said we would have a meeting at
5 10 o'clock the next morning, which would have been
6 Friday, the 28th.

7 Q Is the next meeting reflected in your notes, the
8 next meeting with Arlyce Siebert on the 28th?

9 A Yes.

10 Q That meeting took place at 10 a.m.?

11 A In Arlyce' office.

12 Q Who was present at that meeting?

13 A Mike, Michael, and I all went; however, Arlyce
14 requested that Michael wait out in the secretary's
15 office.

16 Q How long did you and your husband meet with Arlyce
17 Siebert on the 28th?

18 A I would say about an hour.

19 Q And this meeting is reflected in your notes?

20 A Yes.

21 Q What's the next meeting reflected in your notes?

22 A A meeting with Shaw, Pickett, and Winter. When we
23 were in the meeting with Arlyce, she said that she
24 was convinced that they had proof that he was
25 involved but that she didn't know what it was. She

1 Q All right. Now, today you've been referring to that
2 calendar that's in front of you and you indicated
3 before that's a calendar for 2004. Did you -- the
4 notations that I can see from across the table that
5 are on the calendar, were those notations made
6 contemporaneously at the time?

7 A Yes.

8 Q Could I see your calendar for a moment, please?

9 A Yes. This one Chris gave me the other day because I
10 need the calendar to get the dates straight.

11 MR. LINDEN: Let the record reflect
12 that Mrs. Dupree has handed me a calendar book that
13 is for Purdue University, Krannert School of
14 Management 2004 planner.

15 BY MR. LINDEN:

16 Q Now, I've turned the page to look at the month of
17 June 2004. You have no notations on that month, do
18 you?

19 A No.

20 Q Okay. Let me ask you some background questions,
21 Mrs. Dupree. You currently live in Austria with
22 your husband?

23 A Yes.

24 Q And this is your first and only marriage?

25 A Yes.

1 A I'm not sure it's a lawsuit but I had a problem with
2 a rental situation where someone was renting my
3 house and I had to go to court to have them evicted.

4 Q All right. And where was this?

5 A Atlanta, Georgia.

6 Q And when would this have been?

7 A '80.

8 Q And when you said you had to go to court, that would
9 have been court in Atlanta, Georgia?

10 A Right.

11 Q Would that have been Cobb County or Fulton County?

12 A Dekalb, D-E-K-A-L-B.

13 Q And besides that legal matter or proceeding, have
14 you been involved in any other legal proceedings?

15 A No.

16 Q Have you ever testified anywhere before?

17 A No.

18 Q Now, during the time Michael was enrolled at
19 Cranbrook did you ever sign any enrollment
20 agreements?

21 A I believe that both of us signed the enrollment
22 agreements each year.

23 Q Okay. I'm going to show you what was previously
24 marked as Exhibit 1, which is the enrollment
25 agreement for Michael for the school year 2003-2004.

1 You would agree you did not sign that agreement?

2 A I'm sorry. I did not sign this. It's only signed
3 by one parent.

4 Q Okay. And let's talk for a moment briefly about
5 your son Matthew. He graduated from Cranbrook in
6 2007?

7 A Right.

8 Q And so he obviously continued to be enrolled at
9 Cranbrook after your son was dismissed; correct?

10 A Yes.

11 Q And let's talk about Michael's education since he
12 was dismissed from Cranbrook. Your husband, when he
13 testified on Tuesday, indicated that Michael dropped
14 out or withdrew from Purdue in the fall of 2004
15 because of an illness?

16 A Right.

17 Q What was the nature of the illness?

18 A I think it was mono.

19 Q When you think it was mono, was he diagnosed with
20 some type of medical condition that prompted him --

21 A Yes, he went to a doctor and was on an antibiotic.

22 Q Was he ever diagnosed with a disease or illness that
23 caused the antibiotic to be prescribed?

24 A I actually don't know.

25 Q And who was the doctor, if you recall?

1 directed me to call the college counseling office,
2 who then directed me to -- I had to call Purdue and
3 see whether his admittance was still standing or
4 not.

5 Q When did John Winter direct you to or suggest that
6 you call Purdue?

7 A The morning of -- no, John Winter directed me to
8 call the counseling office at Cranbrook. And I
9 think I talked to Rencher but I can't swear on that.
10 And she directed me that I needed to -- or someone
11 needed to and it fell to me, call Purdue and see
12 whether or not his acceptance was still standing
13 because they had informed the school of the
14 disciplinary action and that it was no longer their
15 ballpark.

16 Q All right. So let me make sure I follow what you
17 say. So John Winter told you to contact somebody in
18 Cranbrook's college counseling office; right?

19 A Right.

20 Q And you spoke to somebody in that office. It might
21 have been Charlene Rencher but you don't recall for
22 certain who you spoke to?

23 A Right.

24 Q Whoever you spoke to instructed you to call Purdue?

25 A Right.

1 Q Did they tell you who to call at Purdue?

2 A No. But I asked for that director of admissions. I
3 talked to the fellow that was running it. I didn't
4 want to talk to just a secretary.

5 Q All right. So you spoke to somebody at Purdue?

6 A A gentleman at Purdue and I believe he was the
7 director of admissions.

8 Q Did you get his name?

9 A No.

10 Q Do you have any notes of your phone conversation
11 with that person?

12 A No.

13 Q And when did you speak to somebody in the admissions
14 office at Purdue?

15 A I'm not positive but it would have definitely been
16 within the week of -- from the 26th of May for the
17 next -- sometime in that next seven days.

18 Q And prior to the incident resulting in your son
19 being dismissed from Cranbrook he had already been
20 accepted to Purdue; correct?

21 A Right.

22 Q And so when you spoke to this person in the
23 admissions office at Purdue who you can't recall
24 their name, what do you recall telling them?

25 A They had already -- Cranbrook had already contacted

1 that there was a disciplinary action. And I
2 followed it up with a phone call to tell them -- to
3 ask them what his standing was. And they wanted to
4 know what had happened.

5 And I had to go over it on the phone
6 about his accusations with this computer scandal and
7 that he was not involved. Although I wasn't able to
8 explain to them why he was being disciplined, but
9 that he was not going to be given a diploma from
10 Cranbrook and that -- was he still able to attend
11 Purdue or not.

12 Q And what did they say in answer to that question?

13 A Not without a GED or a diploma.

14 Q All right. So during this phone conversation with
15 this person in the admission office at Purdue, you
16 gave them your explanation about the accusations
17 made against your son?

18 A Yes.

19 Q How long did this phone conversation last for?

20 A Oh, probably 20 minutes, 30 minutes.

21 Q And does your calendar that you have in front of you
22 reflect or indicate in any manner the date on which
23 you had that phone conversation with the Purdue
24 admissions office?

25 A No, but it was within that -- right away in that

1 in trouble. And I wanted -- I just thought that it
2 was worth noting, I guess.

3 Q Can I see your original calendar again for a moment,
4 please?

5 A (Witness hands document.)

6 Q Now, Michael was placed on probation in March of
7 2004; correct?

8 A Correct.

9 Q And in March of 2004 are there any notations on your
10 calendar?

11 A No.

12 Q And when he was placed on probation in March of 2004
13 there was a conduct review board; correct?

14 A Correct.

15 Q You and your husband received a letter from
16 Cranbrook in the aftermath of that advising you that
17 Michael was placed on probation; correct?

18 A Correct.

19 Q You would agree your calendar for March of 2004 does
20 not indicate one, that there was a conduct review
21 board hearing; or number 2, that he was placed on
22 probation; correct?

23 A Correct.

24 Q Do you remember if you met with Arlyce Siebert in
25 April of 2004?

1 Q Why was that?

2 A I'm not sure why. I just was not involved in the
3 application process.

4 Q Were you involved in your son Matthew's application
5 process for college?

6 A Yes. Yes.

7 Q Now, Michael applied to some colleges that he was
8 rejected from; correct?

9 A I believe so.

10 Q One of the colleges he applied to was Babson while
11 he was attending Cranbrook; correct?

12 A Correct.

13 Q He was rejected by Babson?

14 A Right.

15 Q Do you know why he was rejected by Babson?

16 A No.

17 Q Do you know why Michael was rejected by any college
18 that rejected him?

19 A No.

20 Q So I want to come back to these meetings that you
21 had with Arlyce Siebert about your son Michael. Do
22 you recall attending such meetings before the
23 meeting that you attended with your husband in May
24 of 2004; correct?

25 A Correct.

1 Q Do you remember, was that before or after he was
2 placed on probation?

3 A That was -- I had the meeting to inform me that this
4 had happened, that he had found a pipe in Michael's
5 book bag. And that there would be a CRB and that
6 that -- the follow up on that was the probation.

7 Q Okay. So John Winter advised you that someone had
8 found in Michael's book bag a pipe?

9 A When Michael arrived at his 8 a.m. class, Winter had
10 been waiting outside the classroom for Michael to
11 arrive.

12 Q I'm going to have to interrupt you. And again, you
13 know, I'm going to chalk this up to your
14 unfamiliarity with the process.

15 My question was simply: Did somebody
16 advise you that the pipe was found in Michael's book
17 bag? So that's a yes or no.

18 A Did someone advise me that the pipe was --

19 Q -- was found in Michael's book bag?

20 A Yes.

21 Q Who advised you of that, Mrs. Dupree?

22 A Winter.

23 Q And how did he advise you of that? Was that in
24 person? Telephone? What was the method of
25 communication?

1 A He telephoned and asked me to come up to the school.

2 Q Do you remember the date?

3 A No.

4 Q And you would agree your calendar does not reflect
5 that?

6 A No.

7 Q And so did you go out the same day to the school
8 that he telephoned you?

9 A Yes.

10 Q And then you met with Mr. Winter on that day?

11 A Yes.

12 Q Was anybody else present during that meeting?

13 A Michael.

14 Q And was Michael present throughout the meeting?

15 A No. Michael and I got into an argument during the
16 meeting and Michael got up and left and then Winter
17 stood up and screamed out, he's out.

18 Q How soon into the meeting did you and your son get
19 into an argument?

20 A Pretty soon. I was very upset. Winter told us this
21 and then I turned to Michael and said, How could you
22 do this? You know the rules. And then Michael got
23 up and left.

24 Q And did the meeting with Winter continue?

25 A He stood up and said, He's out. And then the

1 book bag and Winter explained to you what your son
2 gave him was this drug paraphernalia; correct?

3 A So-called drug paraphernalia. It was a pipe.

4 Q Well, did you ever see the pipe?

5 A I saw the pipe.

6 Q How did you happen to see the pipe?

7 A Winter had it in his hands, showed it to me.

8 Q And you weren't familiar with it?

9 A No.

10 Q And did he show it to you in the presence of your
11 son?

12 A Yes.

13 Q And so during the course of this meeting,
14 Mrs. Dupree, was Mr. Winter letting you know that
15 your son was being accused of violating the school's
16 code of conduct?

17 A Yes.

18 Q And did he also let you know in that meeting that
19 there was going to be a conduct review board
20 hearing?

21 A Yes.

22 Q Did he let you know that before or after your son
23 walked out?

24 A After.

25 Q And there was a conduct review board meeting that

1 Q Okay. Now, you indicated an acknowledgment that you
2 did not sign the enrollment agreement for Michael
3 for the school year 2003-2004?

4 A I -- no, I didn't. It's not there. My signature is
5 not there.

6 Q Have you ever seen that document before today?

7 A Yes.

8 Q When's the first time you saw it?

9 A Oh, I guess when they were entering sixth and ninth,
10 so that would have been ten years ago.

11 Q So when your sons originally enrolled at Cranbrook
12 was the first time you saw that type of document?

13 A Right.

14 Q And were you aware that the enrollment agreement
15 provided that Cranbrook dismissed your children at
16 any time if they violated any of the conduct code at
17 Cranbrook?

18 A Yes.

19 Q And with regard to Exhibit 3, which is from your
20 husband's deposition, which is the March 12, 2004
21 probation letter, did you see that letter around the
22 time that it was sent to you and your husband?

23 A Yes.

24 Q And after you got that letter did you contact
25 anybody at Cranbrook?

1 once?

2 A No, no.

3 Q When you sat in on your husband's deposition on
4 Tuesday, do you recall some testimony about the fact
5 that supposedly Cranbrook was trying to accuse your
6 son of being involved with selling drugs and
7 marijuana?

8 A Yes.

9 Q And there was some testimony about a student by the
10 name of Ali, do you remember?

11 A Ali, yeah.

12 Q Do you know who Ali is?

13 A I knew, yes.

14 Q Do you know what his last name is?

15 A I think it's Mahmood.

16 Q Now, were you aware that your son Michael had a
17 business called ultrapresence.net?

18 A Yes.

19 Q What did you know about his business?

20 A Nothing. I don't understand computers at all.

21 Q At any time when you met with anybody from Cranbrook
22 about Michael's being dismissed from school did they
23 ever threaten you with criminal prosecution?

24 A No.

25 Q Did they ever threaten Michael with criminal

1 A When we met about his academic progress earlier in
2 the year, I can't remember when, but when the
3 meeting I referred to where Winter, Rutzen, Arlyce,
4 my husband, and I were at and talked about his
5 academic progress, Arlyce turned to Debbie Rutzen
6 and said, What does he need to graduate?

7 And she said English. I took the
8 English written exam over and had it signed that it
9 was submitted. So therefore, if he completed the
10 requirement for English, he would have completed the
11 requirements for graduation.

12 Q Now, this meeting that you just described for us,
13 was that before or after Michael was placed on
14 probation in March of 2004?

15 A Before, I believe.

16 Q Now, let's look again at paragraph 15. There's
17 reference to the community education -- the
18 Cranbrook Educational Community handbook. Do you
19 see that in paragraph 15?

20 A Yes.

21 Q Would that be the handbook for school year
22 2003-2004?

23 A I don't know.

24 Q Okay. All right. Let's go to paragraph 16. Why
25 don't you read that to yourself. And when you're

1 done with that, I'll have a question or two
2 regarding it.

3 A (Witness reviewing document.) I've read it.

4 Q Okay. So this indicates that you're claiming, among
5 other things, that the dismissal that you were
6 advised of in the letter dated June 1, 2004 was null
7 and void because you felt that he had completed all
8 of the requirements to graduate; correct?

9 A Yes.

10 Q And you indicated that your understanding as to his
11 completion of those requirements was based on the
12 meeting you had before he was placed on probation
13 with Arlyce Siebert, John Winter, and Ms. Rutzen;
14 correct?

15 A Yes. As well as the transcript that reflects that
16 he completed his final term and received final
17 grades.

18 Q All right. So let's talk about the transcript for a
19 moment. I just want to make sure I fully understand
20 your claim.

21 So the transcript, I'm going to show
22 you what was previously marked as Exhibit 6 at your
23 husband's deposition. First of all, I'm going to
24 ask you if you've seen that transcript before.

25 A Yes.

1 Q So as I now understand your testimony, your belief
2 that Michael had completed his requirements to
3 graduate as of June 1, 2004 are based on A, the
4 meeting you described for us that took place before
5 he was placed on probation; correct?

6 A Yes.

7 Q And B, the transcript which you have in your hand,
8 Exhibit 6?

9 A Let me clarify. I knew at the time when I took the
10 English exam over to be signed that he was then
11 completing all requirements. When I got the
12 transcript, that was verified.

13 Q All right. When you say you knew at the time you
14 took the English exam over that he had completed his
15 requirements, when was that?

16 A The 27th.

17 Q Of May?

18 A Um-hmm.

19 Q That's a "yes"?

20 A Yes.

21 Q Thank you.

22 A Sorry, sorry.

23 Q That's okay. So May 27th, 2004. You knew, though,
24 according to the terms of his probation that he was
25 on probation through June 4th of 2004; correct?

1 meeting you had with Arlyce Seibert?

2 A Yes.

3 Q Okay. This meeting's reflected in the notes that
4 you provided today; correct?

5 A Right.

6 Q Okay. Let's go to paragraph 20 of the Complaint.
7 And again, read it to yourself and I'll have a
8 question or two regarding that paragraph.

9 A (Witness reviewing document.) Yes. I've read it.

10 Q All right. So that paragraph alleges, among other
11 things, that Cranbrook threatened you and your son
12 with federal prosecution; correct?

13 A Yes.

14 Q And you testified a moment ago, you and your husband
15 were never threatened with prosecution; correct?

16 A Correct.

17 Q Let's go to paragraph 22 on Page 5. And again, I'm
18 going to ask you to read it to yourself and I'll
19 have a question or two regarding that paragraph.

20 A (Witness reviewing document.) Read.

21 Q Okay. So that paragraph alleges that:

22 "Cranbrook, through its agents

23 and or employees, coerced and or

24 pleaded with a fellow student to

25 state and testify that Michael Dupree

1 you know that for a fact?

2 A Yes.

3 Q Were you a participant in that phone conversation?

4 A I was probably standing nearby in the kitchen. We
5 were in the kitchen.

6 Q Do you recall ever signing any documents authorizing
7 the release of your son Michael's academic records?

8 A No. Well, you mean ever? Yes, sometime, yes.

9 Q And do you recall ever signing such a document while
10 he was enrolled at Cranbrook?

11 A I know when we did the college process that one of
12 us or both of us signed to allow the transcript to
13 be sent. But that was prior to the "W" being put on
14 them.

15 Q Okay. Do you recall that that form allowed you to
16 revoke your authorization?

17 A I don't even understand what you just asked me.
18 What do you mean, revoke my authorization?

19 Q Well, here, I'm going to help you out.

20 MR. LINDEN: Let's mark this

21 Exhibit 4.

22 (Deposition Exhibit Number 4 was
23 marked for identification.)

24 BY MR. LINDEN:

25 Q You've just been handed what has been marked

1 Exhibit 4.

2 A Okay.

3 Q Let me note for the record for purposes of
4 identification, it's a form entitled permission to
5 release school records form. After you've reviewed
6 this document, let me know and I'll have some
7 questions for you, Mrs. Dupree.

8 A Okay.

9 Q Have you seen this document before?

10 A Yes.

11 Q Is that your signature?

12 A Yes.

13 Q Okay. And you signed this, apparently, on June 1,
14 2003; correct?

15 A Yes.

16 Q And do you see in the first paragraph, the last
17 sentence says:

18 "This authorization shall remain
19 in force until specifically revoked
20 by me in writing."

21 Do you see that?

22 A Yes.

23 Q Did you ever revoke this document?

24 A No.

25 Q Let's go to what would be the fourth to the last

1 Q Okay. So in this paragraph it alleges that you
2 relied upon some false representations including
3 that if Michael completed his credits, schoolwork,
4 and graduation requirements from Cranbrook, that he
5 would be entitled to his high school diploma;
6 correct?

7 A Correct.

8 Q Who made those representations?

9 A Arlyce.

10 Q And when did Arlyce make those representations?

11 A When we'd had the meeting about his academic
12 progress. We were all like going over all these
13 classes and everything. And then she said to
14 Debbie, What does he need to graduate? And then
15 Debbie Rutzen started going into a long thing.

16 Arlyce said no, no, just tell me,
17 what does he need to graduate and she said English.

18 Q Again, this is the meeting that took place before he
19 was placed on probation in March of 2004?

20 A Correct.

21 Q Okay. With regard to the colleges that Michael
22 applied to, did any of them not accept GEDs?

23 A I really wasn't involved in the application process.

24 Q So you wouldn't know that?

25 A I don't know.

1 Q Has he discussed with you what his postgraduate
2 plans might be?

3 A No.

4 Q As I understand it, one of the things you're
5 claiming in this lawsuit, that Cranbrook falsified
6 the transcript?

7 A Yes.

8 Q How did they falsify the transcript?

9 A He did not withdraw and they put that on a legal
10 transcript with a seal.

11 Q And according to your Complaint, Charles Shaw
12 explained to your husband that a reason they did
13 this was because they thought it would be better for
14 your son; correct?

15 A I believe his words were, we're doing you a favor.

16 Q And he was saying that because alternatively they
17 would have indicated that he had been dismissed from
18 school; correct?

19 A Correct.

20 Q Do you have any idea of whether or not having a
21 transcript indicating that he was dismissed from
22 school would have impaired Michael's abilities to
23 get into any colleges?

24 A No more so than getting a GED under any situation.

25 Q So your testimony would be that getting a GED is no

1 day of school at the beginning of the year in
2 September of 2003. So he was not on probation at
3 the time. So it was irrelevant.

4 Q All right. So you don't dispute, among other
5 things, that at some point Michael, your son, gave
6 another student his password?

7 A No dispute.

8 Q Okay. And by the way, have you had a chance to
9 review any of the documents that Cranbrook's
10 produced in this case?

11 A No.

12 Q So that would mean, for example, you've had no
13 chance to review the investigation that the school
14 did regarding the allegations involving Michael's
15 violation of the computer use technology policy;
16 correct?

17 A Correct.

18 MR. LINDEN: Let's take a break for a
19 second.

20 (Short recess taken at 1:30
21 p.m.)

22 (Back on the record at 1:44
23 p.m.)

24 BY MR. LINDEN:

25 Q I want to make sure I understand the testimony that

1 small community and if everybody's going to be
2 chatting, then it's very difficult for the people to
3 stay on there.

4 Q Okay. Let's turn to what would be Page 4 of this
5 Exhibit. So these are notes of Friday a.m. So
6 would this be Friday, May 28, 2004?

7 A Yes.

8 Q Why don't you read to us what these notes say?

9 A Michael e-mailed stat, which is his stat exam. It
10 was a take-home exam. He e-mailed that in. Winter
11 called to tell me that CRB had recommended
12 dismissal. Michael was forbidden on campus at all.
13 He would receive all his credits and I could talk to
14 college counseling. They had been investigating a
15 GED for other students.

16 And Winter called back and spoke with
17 Michael and said basically -- I have written same
18 thing, meaning he said the same thing to Michael,
19 that you cannot come on campus and that you are --
20 have been recommended for dismissal.

21 Q Okay. And when were these notes -- when were they
22 prepared?

23 A Probably Friday evening.

24 Q And Friday evening, May 28th of 2004?

25 A I probably sat down after we had all the meetings

1 Friday and wrote it Friday night.

2 Q All right. Now, let's go back to your calendar, at
3 least the portion from May 2004 which is Exhibit 1.
4 There's a notation May 26, 1:30, called, suspended.
5 Do you see that?

6 A 1:30 call from Michael. And at that meeting that I
7 met with Dean Winter he said he was suspended.

8 Q So you were notified on May 26th that he had been
9 suspended; correct?

10 A Correct. Verbally by Dean Winter.

11 Q Okay. And was it your understanding he was
12 suspended pending conducting the conduct review
13 board hearing?

14 A No. Pending the -- while they went -- I guess they
15 suspended people that were involved with the
16 computer scandal in order to give them time to
17 determine what went on or something.

18 Q All right. But you were notified on May 26 that he
19 had been suspended?

20 A Correct.

21 Q And it related to this -- these allegations
22 involving the computer?

23 A Right.

24 Q And you would agree as of May 26th, according to
25 your version of things, Michael had not completed

1 the requirements to graduate?

2 A Yes.

3 Q Okay. Let's go to the next page, Page 5.

4 A (Witness complies.)

5 Q So this is Friday. So this still is May 28th, 2004?

6 A Same day, yeah.

7 Q Okay. If you would, why don't you read these for us
8 as well, please.

9 A Okay. Friday a.m. we went in, meaning to Arlyce's
10 office, Arlyce Seibert's office at 10 o'clock
11 without Michael for 45 minutes. That's approximate.
12 She said regarding the IT. She was -- well, how she
13 said it was she was convinced she was -- felt the
14 information convincing that he was involved.

15 She felt that the information that
16 she had received was convincing that he was involved
17 and that was given her. And we should have Winter,
18 Pickett, Shaw present that. Okay. She did not have
19 any of the proof that he was involved is what she
20 was telling us.

21 Q The "she" we're referring to would be Arlyce
22 Seibert?

23 A Arlyce Seibert said she -- Mike asked her for the
24 proof that he was involved. She said she did not
25 have the proof but she felt that the proof was

1 A That night.

2 Q Okay. And let's talk very briefly about Matthew's
3 experience at Cranbrook. How would you characterize
4 his experience at Cranbrook?

5 A Fine.

6 Q And he obviously was enrolled there in academic year
7 2004-2005, 2005-2006, and then when he graduated in
8 2006-2007; correct?

9 A Yes. From six through 12 he was at Cranbrook.

10 MR. LINDEN: Give me a minute. I
11 think we're just about done.

12 (Short recess taken at 2:02
13 p.m.)

14 (Back on the record at 2:19
15 p.m.)

16 BY MR. LINDEN:

17 Q Just I think a few follow-up questions. Then we
18 should be done. So Exhibit 5, your notes, did
19 someone ask you to prepare these notes?

20 A No.

21 Q And I'd like you to turn to Page 4 of the notes,
22 which the top of it should indicate Friday a.m. and
23 we established before, this was Friday, May 28th,
24 2004; correct?

25 A Um-hmm.

1 Q That's a "yes"?

2 A Yes. I'm sorry.

3 Q Thank you. So the first sentence you have, Michael
4 e-mailed stat. And I believe you indicated before
5 that was his statistics exam?

6 A Well, he was in this group -- they didn't do an
7 exam. They just did a project or something. I
8 don't exactly know what it was. But I just made a
9 note of it because I wanted to be sure that
10 everything that he thought he did was -- I think
11 what they did was they had to submit their stuff
12 during the time that they -- the class was or
13 something. He didn't actually turn it in because he
14 was -- it was a group of six, I think. And
15 something --

16 Q But it was a group project required by that class?

17 A Yes.

18 Q And he was turning it in via e-mail on May 28th;
19 correct?

20 A Right, right. I believe, yes.

21 Q And it's something he needed to do to complete the
22 course?

23 A Yes.

24 Q And then it indicates, I could talk to college
25 counseling. They had been investigating a GED for